

ZON04-00008



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The map shows a grid of streets with several key features:

- Subject Property:** Located at the intersection of Texas Ave. and Brown St., highlighted by a yellow box.
- Major Streets:** Texas Ave. runs diagonally from the top left to the bottom right. Cotton St. runs vertically along the right side. Brown St. runs horizontally across the middle.
- Landmarks and Reservations:**
 - RAILROAD RESERVATION:** Located in the upper left corner.
 - MAGOFFIN HOMESTEAD:** A large rectangular area in the lower center.
 - HOUSING AUTHORITY:** Labeled below the Magoffin Homestead.
 - COTTON ST. RESERVATION:** Located at the bottom right.
- Property Designations:** Numerous circular callouts are scattered throughout the map, each containing a letter code followed by a number or suffix, such as:
 - C-4
 - A-3
 - M-1
 - H
 - SC
 - SP
 - SD
 - WS
- Other Labels:** "SAN ANTO" is partially visible on the far right edge.

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00008 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1 AND 2, BLOCK 31, FRANKLIN HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Ar dovino's Pizza** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in a C-4 (Commercial) District, requiring two (2) off-street parking spaces to serve a proposed commercial kitchen;

Lots 1 and 2, Block 31, Franklin Heights, El Paso, El Paso County, Texas;

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 100%, so that the property, required to provide two (2) off-street parking spaces, can satisfy the required parking requirements;

4. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00008**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this 20th day of **April**, 2004.

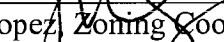
THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

AGREEMENT

Ardovino's Pizza, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 25 day of March, 2004.

By: [Signature]
Jose D. Vasquez V.P.
(name/title)

Acknowledgment

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 25th day of March, 2004, by Mike Myers / Cont Myers as Pres / VP, on behalf of **Ardovino's Pizza**, as Applicant.

My Commission Expires:

June 19, 2004

[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
JOSE D. VASQUEZ

